

1 PHILLIP A. TALBERT
United States Attorney
2 ALYSON A. BERG
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, CA 93721
4 Telephone: (559) 497-4000
Facsimile: (559) 497-4099

5 Attorneys for Plaintiff United States of America

6

7

8 IN THE UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 APPROXIMATELY \$141,513.00 IN U.S.
CURRENCY,
14 Defendant.

CASE NO. 1:21-MC-00069-AWI-BAM

STIPULATION AND ORDER FURTHER
EXTENDING TIME FOR FILING A COMPLAINT
FOR FORFEITURE AND/OR TO OBTAIN AN
INDICTMENT ALLEGING FORFEITURE

16 The United States of America and potential claimant Sergiy Krystafovych (“potential claimant”),
17 by and through their counsel, do agree and STIPULATE as follows:

18 1. On or about May 5, 2021, potential claimant filed a claim in the administrative forfeiture
19 proceeding with the U.S. Customs and Border Protection with respect to the above-captioned currency
20 (hereafter “defendant currency”), which was seized on August 25, 2020.

21 2. The U.S. Customs and Border Protection has sent the written notice of intent to forfeit
22 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
23 person to file a claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other
24 than the potential claimant has filed a claim to the defendant currency as required by law in the
25 administrative forfeiture proceeding.

26 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
27 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
28 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative

1 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of
2 the parties. That deadline was August 2, 2021.

3 4. By Stipulation and Order filed August 2, 2021, the parties stipulated to extend to October
4 31, 2021, the time in which the United States is required to file a civil complaint for forfeiture against
5 the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
6 forfeiture.

7 5. By Stipulation and Order filed October 25, 2021, the parties stipulated to extend to
8 December 30, 2021, the time in which the United States is required to file a civil complaint for forfeiture
9 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
10 subject to forfeiture.

11 6. By Stipulation and Order filed December 27, 2021, the parties stipulated to extend to
12 February 13, 2022, the time in which the United States is required to file a civil complaint for forfeiture
13 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
14 subject to forfeiture.

15 7. By Stipulation and Order filed February 11, 2022, the parties stipulated to extend to
16 March 15, 2022, the time in which the United States is required to file a civil complaint for forfeiture
17 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
18 subject to forfeiture.

19 8. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
20 to April 14, 2022, the time in which the United States is required to file a civil complaint for forfeiture
21 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
22 subject to forfeiture.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 9. Accordingly, the parties agree that the deadline by which the United States shall be
2 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
3 alleging that the defendant currency is subject to forfeiture shall be extended to April 14, 2022.

4 Dated: March 11, 2022

PHILLIP A. TALBERT
United States Attorney

9 Dated: March 11, 2022

6 By: /s/ Alyson A. Berg
7 ALYSON A. BERG
8 Assistant United States Attorney

12 IT IS SO ORDERED.

13 Dated: March 14, 2022


14 _____
15 SENIOR DISTRICT JUDGE